

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

LINDA MIGLIORI, FRANCIS J. FOX,
RICHARD E. RICHARDS, KENNETH
RINGER, and SERGIO RIVAS,
Plaintiffs,

v.

LEHIGH COUNTY BOARD OF ELECTIONS,
Defendant.

:
:
:
:
:
:
:
:
:
:
:
:

No. 5:22-cv-00397

ORDER

AND NOW, this 4th day of April, 2023, upon consideration of the Order of the Third Circuit Court of Appeals in Appeal Number 22-1499, in which the Third Circuit recalled its mandate issued to this Court on June 13, 2022 in light of the U.S. Supreme Court’s decision vacating the judgment of the Third Circuit, ECF No. 66, as well as Plaintiffs’ Motion for Attorney’s Fees, ECF No. 65, and the response and reply thereto, ECF Nos. 70-72, and pursuant to the Opinion issued on this date, **IT IS HEREBY ORDERED THAT:**

1. The Clerk of Court is directed to **REOPEN** this case.
2. The Court’s Order dated June 10, 2022, ECF No. 59, is **VACATED**.
3. The Court **defers** reaching a final decision on the Motion for Attorney’s Fees, ECF No. 65.
4. The parties are **directed to file supplemental briefing** as to the reasonableness of the fees requested.¹ Each party’s briefing, which shall be no longer than ten pages, shall be submitted no later than **Monday, April 24, 2023**.

¹ The Court has determined pursuant to its Opinion issued today that Plaintiffs are “prevailing parties” for purposes of 42 U.S.C. § 1988 and therefore entitled to receive attorney’s fees. Because much of the briefing previously submitted resolves around the prevailing party issue, the Court is requesting additional briefing solely on the reasonableness of the amount of attorney’s fees requested by Plaintiffs. The parties may attach additional exhibits if deemed necessary, but the Court requests the parties not to submit duplicate exhibits of those already attached to the Motion for Attorney’s Fees, ECF No. 65.

5. If the parties determine that a response briefing is necessary, they are permitted to submit response briefs no later than **Friday, April 28, 2023**. Further reply briefing will not be permitted.

BY THE COURT:

/s/ Joseph F. Leeson, Jr.

JOSEPH F. LEESON, JR.

United States District Judge